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March 31, 2016

VIA HAND DELIVERY

Mr. Ron Connally
Department of Regulatory & Economic Resources
C/O Zoning Hearing Section
ATTN: Cassandra Henderson
Miami-Dade County
Stephen P. Clark Center, 11th Floor
111 NW 1st Street
Miami, FL 33128



RE: Unusual Use to permit a 100' Camouflaged Unipole/ Wireless Supported Services Facility
Property Location: 8701 SW 137 Avenue, Miami, Florida 33183
Folio No.: 30-4934-001-1240
Section-Township-Range: 34-54S-39E
Project Name: CVS Kendall
Latitude: 25° 41' 10.796" N; Longitude: 80° 24' 58.255" W

Dear Ms. Henderson:

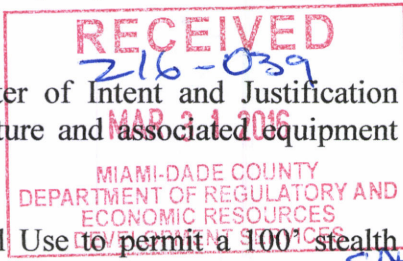
This law firm represents TOWERCOM VIII, LLC, the Applicant in the above captioned zoning application. The Applicant is seeking approval of a Unusual Use to permit a wireless supported services facility designed as a 100' Unipole ("Unipole" or "Facility") located on a parcel zoned BU-2 that is owned by Bank Branch and Trust Company ("BB & T"). BB & T in conjunction with CVS are redeveloping the site in its entirety necessitating the demolition of all existing structures, including the existing wireless communications facility designed as a Clock Tower.

CVS and BB & T had a pre-application conference with staff several weeks ago and were advised to proceed with their redevelopment plans through the building permit process and no other administrative or public hearing approvals would be required. As part of the redevelopment of the Parent Tract, the existing wireless communications antennas that are subject to long-term lease agreements must be relocated on-site in a timely fashion to maintain the same or improved On-Air voice and data coverage and capacity services.

The subject zoning application for an Unusual Use zoning request combined with one non-use setback variance is intended to replace the existing Clock Tower wireless communications facility and relocate existing wireless providers on-site in accordance with the proposed site and landscape plans. The proposed Application has been prepared and is submitted in accord with various standards and criteria contained in Chapter 33 and specifically Sections 33.63.2(c)(2)(B)2 of the Miami-Dade County Land Development Code ("LDC"). Chapter 33-63.2(c)(1) of the LDC

permits wireless supported service facilities in the BU-2 zoning district upon public hearing approval of an Unusual Use by the Community Zoning Appeals Board.

Accordingly, this letter shall serve as the Applicant's Letter of Intent and Justification Statement for the requested approval of an Antenna Support Structure and associated equipment compound. Enclosed please find:



1. (1) General Zoning Application for a Unusual Use to permit a 100' stealth antenna support structure within a tower enclosure compound and an associated equipment compound including:
 - a. Application & Warranty Deed and one (1) Copy of the Redacted Lease dated 12-14-2015 for the subject Property;
 - b. Copy of the Legal Description including a Microsoft copy on a hard disc (A1 – Parent Tract, A2 – Lease Parcel, A3 – Tower Enclosure Area, A4- Access & Utility Easement, and A5- Conduit Easement);
 - c. Attorney Affidavit;
 - d. Acknowledgment by Applicant;
 - e. Ownership Affidavit;
 - f. Owner's Sworn-to-Consent;
 - g. Disclosure of Interest for Applicant (Lessee);
 - h. Disclosure of Interest for Owner (Lessor); and
 - i. Landscape Compliance Affidavit dated March 29, 2016.
2. (1) Copy of this transmittal letter and Justification Statement;
3. (1) Signed and Sealed Survey field dated 12-20-2015 prepared by WSP Consultants, Inc., consisting of three (3) Sheets;
4. (1) Set of Plans consisting of seven (7) sheets including but not limited to: an Overall Site Plan, enlarged detailed Compound Plan, Elevations, Setback Plan, Line of Site Analysis and Details prepared by Kimley Horn & Associates dated March 2016;
5. (1) Set of Landscape Plans consisting of four (4) sheets including an Overall Site Plan, Lease Area Landscape Plans, Landscape Detail Sheet and an Irrigation Plan prepared by Kimley Horn & Associates dated March 2016
6. (1) Set of RF Technical Data, including but not limited to:
 - a. Before & After Propagation Maps; and
 - b. T-Mobile RF Engineering Review report dated March 24, 2016 prepared by T-Mobile RF Engineer, Patrick Keane;
7. (1) FAA Determination of No Hazard Letter dated March 4, 2016;
8. (1) FAA – 1A Certification Letter dated December 29, 2015;
9. (1) Sprint colocation commitment letter dated March 17, 2016;
10. (1) Flash drive containing electronic files of each of the items listed above; and
11. Application fee in the amount of \$10,892.90 (Check # 000055).

Collectively the above constitutes the "Application".

Property Zoning

The Property is zoned BU-2. Pursuant to Section 33.63.2(c)(2)(B)5 of the LDC, a non-camouflaged wireless supported service facility is permitted up to two hundred (200) feet in height in the BU-2 zoning district upon approval of an Unusual Use request in accordance with Sections

33-13 and 33-311(A) of the LDC. The Applicant is not seeking any zoning or future land use classification changes.

Overview of Property

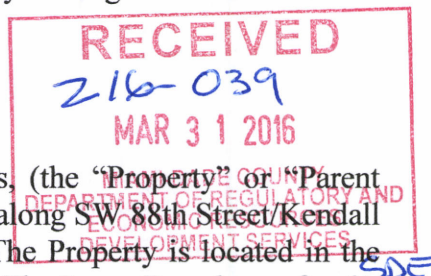
The Property contains approximately 2.49 acres, more or less, (the "Property" or "Parent Tract"). The Property is approximately 230' feet in width/site frontage along SW 88th Street/Kendall Drive and approximately 450' feet in depth along SW 137 Avenue. The Property is located in the NE quadrant of the intersection of SW 137 Ave and N. Kendall Drive. The Lease Parcel area for the equipment compound is 35' x 40' or 1400 square feet and the Lease Parcel for the Tower enclosure compound is 15' x 15' or 225 square feet for a combined Lease Area of 1625 square feet. The equipment compound area is located generally in the NE area of the Parent Tract along the East property boundary. The Stealth Unipole tower itself is centrally located on the Parent Tract in order to utilize the proposed CVS building on the South portion of the Parent Tract and the proposed B & T building on the North portion of the Parent Tract as intervening structures that will obscure the lower portion of the Unipole from Kendall Drive to the South and the RU-4L zoned property to the North.

The existing use of the Property is two office/bank buildings and an existing wireless communications facility designed as a Clock Tower. All of the structures are planned for demolition as part of an entire site redevelopment plan to include a new CVS building and a new B B & T building as shown on the Overall Site Plan. As part of the redevelopment of the site, the existing wireless communications antennas that are subject to long-term lease agreements must be relocated on-site in a timely fashion to maintain the same or improved On-Air voice and data coverage and capacity services. The existing zoning surrounding the Property are: 1) to the north is RU-4L with multi-family dwellings; 2) to the East is property zoned RU-4M with multi-family dwellings; 3) to the South is existing BU-2 commercial development; and d) to the West of the Parent Tract is SW 137 Avenue and existing BU-2 commercial development West of SW 137 Avenue.

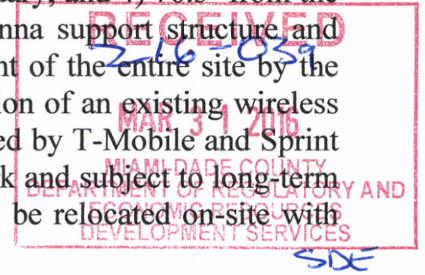
Unusual Use Zoning Request

Specifically, the Applicant seeks approval of an Unusual Use to locate a stealth Antenna Support Structure commonly referred to as a Unipole on the subject Property that is one hundred feet (100') in height with the associated 35' x 40' equipment compound and 15' x 15' tower compound. The top of the Unipole measures one hundred feet (100') AGL and is designed as a Unipole with up to three (3) potential wireless providers utilizing canisters that wholly conceal the antenna equipment inside. The top two canisters are intended to be occupied by T-Mobile who has provided the Radio Frequency Maps and Analysis for this relocation facility. The next two canisters below T-Mobile are intended to be occupied by Sprint. The fifth canister below Sprint is intended for a Future wireless provider. Although the LDC allows non-camouflaged antenna support structures in the BU-2 zoning district up to 200 feet in height, due to the multi-family residential character to the North and East and based upon a Line of Site Analysis included with the zoning pans prepared by Kimley Horn & Associates, the Applicant proposes a stealth Unipole facility with wholly concealed antennas at fifty percent (50%) of the permitted maximum height. The proposed 100 foot height is necessary to maintain and improve the capacity and coverage needs of T-Mobile and Sprint, both of whom are currently On-Air on the Parent Tract and must be relocated on-site in accordance with their respective existing long-term lease agreements with B B & T.

The LDC requires setbacks from each property line equal to 110% of the tower height or which equates to 111'-4" for a 100 foot Unipole. The proposed Unipole is setback from the property



boundaries measured from the outer edge of the caisson as follows: 1) 179.3' from the North boundary; 2) 150' from the East boundary; 3) 284.5' from the South boundary; and 4) 76.3' from the West boundary. It is important to note that this proposed Unipole antenna support structure and associated equipment is a result of planned demolition and redevelopment of the entire site by the Parent tract owner, B B & T. This redevelopment plan includes demolition of an existing wireless communication facility designed as a clock tower that is currently occupied by T-Mobile and Sprint On-Air antennas and equipment that are part of an existing On-Air network and subject to long-term lease agreements with B B & T. As such, T-Mobile and Sprint need to be relocated on-site with comparable or improved coverage and capacity.



Technology has changed radically in the past 15-20 years since the existing tower facility was designed. Specifically, providers have a tremendous increase in demand for data capacity as well as voice coverage and capacity. This new technology necessitates two sets of antennas when the antennas are wholly concealed within stealth canisters which impedes the radio signal and constrains the ability to tilt the antennas directionally, all of which diminishes overall coverage and capacity in comparison to an installation that has exposed or non-camouflaged antennas. Nevertheless, the Applicant is cognizant of multi-family residential dwellings to the North and East and is desirous of mitigating any perceived adverse visual impact. In furtherance of that goal, the Applicant also located the actual antenna support structure in the central area of the Parent Tract to utilize the proposed B B & T building on the North portion of the Parent Tract and the proposed CVS building on the South portion of the Parent Tract to obscure the lower portion of the Unipole from the multi-family to the North and from Kendall Drive to the South. Additionally, the existing Parent Tract has significant existing mature canopy trees along the perimeter boundaries that will be maintained and supplemented. The Applicant performed a Line of Site Analysis from the North and East residentially zoned properties and as a result, proposes infill palm tree installations beyond any LDC requirements in the locations shown on the Landscape Plan to further mitigate any perceived adverse visual impacts to those properties.

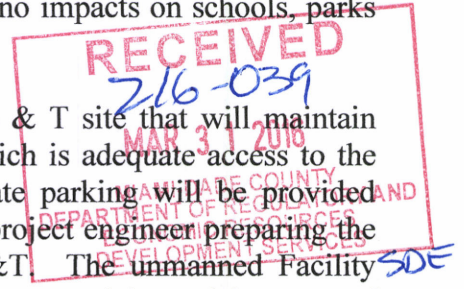
The associated equipment compound area on the East property boundary occupies approximately 1,400 square feet and the tower enclosure compound in the central portion of the Parent Tract occupies 225 square feet. Both compounds are wholly surrounded by an eight foot (8') chain link fence and locked gate to secure the equipment with a heavily landscaped 5' buffer surrounding the entirety of the compounds except in front of the gates to screen the equipment from public view. The equipment compound and tower enclosure compound proposed landscape buffer meets and exceeds Ch. 18A landscape requirements and there are zero non-use landscape variances being requested.

Typically, an Applicant for this type of zoning request will include site photos as well as before and after photo simulations of the one hundred foot (100') Unipole taken from vantage points surrounding the proposed site and keyed to an aerial map. However, in this case, because the entire Parent Tract, with the exception of maintaining mature existing perimeter trees, will be demolished and redeveloped, and this Unipole is part of that redevelopment project, existing site photos will not assist in evaluating the site accurately for its future intended use. Further, photo simulations cannot be properly created to reflect the actual existing conditions after redevelopment. If staff believes photos of a similar Unipole installation will assist in their evaluation, please contact my office and we will endeavor to provide those examples to you promptly.

The proposed Facility is an unmanned facility that does not use water, sewer or solid waste. The Facility only requires maintenance bi-weekly, thus there is no impact on transportation

infrastructure. This is not a residential project and therefore, there are no impacts on schools, parks or recreation facilities.

The Unipole will be located on a redeveloped CVS and B B & T site that will maintain existing ingress and egress from Kendall Drive and SW 137 Ave which is adequate access to the equipment and tower compounds for maintenance purposes. Adequate parking will be provided onsite. The Applicant has coordinated its site plans with those of the project engineer preparing the plans for building permit application on behalf of CVS and B B & T. The unmanned Facility requires a parking space available only for bi-weekly routine maintenance visits and in cases of emergency.



The Unipole neither creates nor poses any fire or other dangerous hazard to the public. For additional safety and security, the Unipole is designed with wholly enclosed antennas and the equipment will be secured by an eight foot (8') chain link fence and locked gate and will have no general public access.

The facility shall comply with all FAA and FCC lighting requirements. The Unipole will be designed in such a manner that in the event of a structural failure, the failed portion of the Unipole will be wholly contained within the Parent Tract. The Unipole will comply with all Miami-Dade County and FAA Aviation requirements. The Application includes an FAA Determination of No Hazard dated March 4, 2016. The Applicant will be processing its Miami-Dade Aviation application simultaneous with this Application. The central location of the Unipole has no impact on safe site distance triangles located at ingress and egress points.

The proposed Antenna Support Structure is consistent with the Comprehensive Development Master Plan and all provisions of the LDC and the underlying BU-2 zoning district requirements. In sum, the Application meets and exceeds all landscape, parking and lot area requirements and is seeking only one 35' foot non-use setback variance from the West property line.

Radio Frequency and Necessity of Stealth Facility

The Application includes T-Mobile's Radio Frequency technical data, coverage maps and facility data information that justifies the site location and the RF design of the proposed facility. The Applicant has provided RF data and maps that demonstrate the existing On-Air coverage, the significant gap in coverage should the antennas not be allowed to relocate on-site to the proposed Unipole Facility as well as the coverage map with the antennas on the proposed Unipole Facility. In addition, the Application includes a commitment letter from Sprint dated March 17, 2016 stating its need to relocate and maintain coverage and uninterrupted service.

Summary & Conclusion

The Applicant is seeking only one non-use setback variance from LDC requirements for the proposed relocation wireless communications facility. Otherwise, the Application meets or exceeds all applicable LDC requirements as demonstrated above and by the enclosed Application.

For the reasons stated herein, the Applicant is requesting staff recommendation of approval and Community Zoning Appeals Board approval of an Unusual Use to permit a 100' stealth antenna support structure (Unipole) and associated equipment compound on the subject Property based upon need, compatibility and its stealth antenna design to minimize and eliminate any adverse visual impact to surrounding properties while maintaining reliable and uninterrupted wireless

communications as well as E-911 locational service to wireless customers. If you have any questions, or need additional information, please contact me at (727) 321-5263.

Sincerely,



Deborah L. Martohue

Enclosures: Application
Application Fee check# 000055

Cc: Applicant



SDE